



Paper No. 8

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JAN 26 2001

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WASHINGTON, DC 20005

In re Application of
Walsh, et al.
U.S. Patent No. 5,630,755
Application No. 09/313,335
Filed: May 20, 1999
For: SOFT COUNT TRACKING

OFFICE OF PETITIONS
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: DECISION ACCORDING
: STATUS UNDER 37 CFR 1.47(a)
:
:

This is in response to the renewed petition under 37 CFR 1.47(a), filed November 6, 2000.

The petition is GRANTED.

Petitioner has shown that the nonsigning inventor, MICHAEL WALSH, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of MICHAEL MCGURK, in which attempts to contact the nonsigning inventor are outlined, and the declaration of EDWARD SEIDENBERG, in which details of the nonsigning inventor's verbal refusal to sign the application papers are outlined, are sufficient evidence to establish that the inventor received the application papers and refuses to sign.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the nonsigning inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be returned to the Office of Initial Patent Examination for issuance of a corrected filing receipt.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

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DUP

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LETTER

JAN 26 2001

OFFICE OF PETITIONS
A/C PATENTS

Dear Mr. Walsh:

You are named as the inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Alesia M. Brown at (703) 305-0310. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: FINNEGAN HENDERSON FARABOW GARRETT
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